

**NOT FOR PUBLICATION**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

D'ANN McCOY, *et al.*,

Plaintiffs,

v.

THE ATLANTIC AMATEUR HOCKEY, *et al.*,

Defendants.

No.16-2452 (SDW)(SCM)

**ORDER**

June 5, 2019

**WIGENTON**, District Judge.

Before this Court is the Report and Recommendation (“R&R”) entered on May 22, 2019 by Magistrate Steven C. Mannion (“Judge Mannion”), recommending that Plaintiff D.M.’s claims be dismissed without prejudice. Plaintiff D’Ann McCoy filed an objection to the R&R on May 31, 2019 (D.E. 42).

This Court has reviewed the reasons set forth by Judge Mannion in the R&R and the other documents in this matter. Based on the foregoing, and for good cause shown, it is hereby

**ORDERED** that the R&R of Judge Mannion (D.E. 38) is **ADOPTED** as the conclusions of law of this Court and that this matter be dismissed without prejudice.<sup>1</sup>

**SO ORDERED.**

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<sup>1</sup> This Court reads the Amended Complaint as raising claims only as to D.M., and understands Plaintiff D’Ann McCoy’s role here to be limited to raising claims on behalf of her son. To the extent that the Amended Complaint could be read to raise a retaliation claim on behalf of Ms. McCoy, (D.E. 33 ¶ 68), this Court finds the facts as pleaded insufficient to sustain such a claim and *sua sponte* dismisses that claim pursuant to Federal Rule of Civil Procedure 12(b)(6).

/s/ Susan D. Wigenton  
**SUSAN D. WIGENTON, U.S.D.J.**

Orig: Clerk  
cc: Parties  
Steven C. Mannion, U.S.M.J.